

ORDINANCE NO. 93-34

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 92-32 PERTAINING TO THE PAYMENT OF MILEAGE TO COUNTY EMPLOYEES; PROVIDING FOR CLARIFICATION OF VICINITY MILEAGE AND STANDBY, AFTER HOURS TRAVEL; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 92-32, authorizes certain Palm Beach County employees who utilize their private vehicles while on standby or after hours to be compensated for vicinity mileage incurred while responding to an after hours summons; and

WHEREAS, it is necessary to clarify certain provisions of Ordinance No. 92-32 to capture the various situations intended to be covered.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1.

Section 4 of Ordinance No. 92-32 is hereby amended to read:

All Palm Beach County employees shall be entitled to vicinity mileage at the rate authorized under Section 112.061(7)(d)1., Florida Statutes, whenever their personal vehicle is utilized to conduct official county business. ~~Mileage shall be recorded from point of origin or official headquarters, whichever is the shorter distance. No mileage is authorized for travel to and from official headquarters for the purpose of reporting to work and returning to home except as stated in Section 5.~~ Employees shall be reimbursed for mileage incurred from the point of origin or official headquarters, whichever is the shorter distance. This section shall control mileage incurred during normal working hours, but does not control instances where mileage is incurred while the employee is on standby, or working after hours. Where the employee is on standby or working after hours, reimbursement shall be made pursuant to Section 5. All vicinity mileage must be shown as a separate item on an expense voucher.

SECTION 2.

Section 5 of Ordinance No. 92-32 is hereby amended to read:

~~At times, some employees may be required to travel from a~~

~~point other than official headquarters while on standby or after hours. In such instances, the employee is entitled to receive vicinity mileage calculated from the point of origin (home) to the point of destination and return to the point of origin (home).~~
Employees working on standby or after hours may be required to travel from the official headquarters or from elsewhere. In those instances, the employee is entitled to receive reimbursement for actual mileage incurred, regardless of whether the point of origin is the employee's home, official headquarters, or elsewhere (as long as the point of origin is within Palm Beach County), to the point of destination. In addition, the employee shall be reimbursed for mileage incurred from the point of destination to return to the point of origin. If the employee is unable to return to the point of origin because the employee must report to work, and goes to the official headquarters, the employee shall be reimbursed from the point of destination to the official headquarters. In order to receive reimbursement under this Section, the employee shall clearly identify mileage as having been incurred while on standby or after hours.

SECTION 3. Repeal of Ordinances in Conflict

All local ordinances in conflict with any provisions of this ordinance are hereby repealed to the extent of the conflict.

SECTION 4. Severability

If any section, paragraph, sentence, clause, phrase, or work of this ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

SECTION 5. Inclusion in Code of Laws and Ordinances

The provisions of this ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

SECTION 6. Effective Date

The provisions of this ordinance shall become effective upon

receipt of acknowledgement from the Secretary of State.

APPROVED and ADOPTED by the Board of County Commissioners of
Palm Beach County, Florida, on the 21st day of December,
1993.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: *Man McCarty*

CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: *Dorothy H. Wilken*

DOROTHY H. WILKEN, CLERK
Board of County Commissioners

DEPUTY CLERK

Acknowledgement by the Department of the State of Florida, on
this, the 27th day of December, 1993.

EFFECTIVE DATE: Acknowledgement from the Department of State
received on the 30th day of December, 1993, at
12:00 P.M., and filed in the Office of the Clerk of the Board
of County Commissioners of Palm Beach County, Florida.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on 12/21/93

DATED at West Palm Beach, FL on 1/5/94
DOROTHY H. WILKEN, Clerk

By: *Dorothy H. Wilken* D.C.